

REMARKS

Claims 1 through 10 are pending in the present application. Claims 1, 7, and 8 have been modified pursuant to the Examiner's suggestion during his teleconference with Applicant's attorney on October 7, 2003, and his follow-up voicemail of October 23, 2003, wherein the Examiner suggested that Applicant remove the function language "for receiving" and "for determining" from independent claims 1, 7 and 8. The Examiner indicated that such amendments would place the application in condition for allowance. Claims 2-6 are dependent upon allowable claim 1 and therefore are also in condition for allowance.

Claim 9 was rejected under 35 U.S.C. §102(b) as being anticipated by Kringlebotn.

Claim 9 provides a step of determining a first wavelength values $\lambda_1(t)$ having a wavelength variation over time for the optical signals $\lambda(t)$, using an absolute-measuring unit having unambiguous wavelength properties at know absolute wavelength values for determining second wavelength values $\lambda_2(t)$ having a wavelength variation over time as such known absolute wavelength values covered by the optical signals $\lambda_1(t)$.

Claim 9 also include the step of providing corrected wavelength values $\lambda_1'(t)$ having a wavelength variation over time based on a comparison of the determined first $\lambda_1(t)$ and second $\lambda_2(t)$ wavelength values.

Kringlebotn teaches a broadband light source, a tuneable optical filter, a first coupler and a second coupler. A first part of the light from the broadband light source is transmitted through the tuneable optical filter to the first coupler. The first part of the light from the broadband light source is then transmitted

through a first detector that outputs a signal to a signal processing unit. A second part of the light from the broadband light source passes through the second coupler and then to a fiber Bragg grating (see page 6 lines 29). According to page 6, lines 25 through 26 of Kringlebotn, "the FBG 5, [filter or fiber Bragg grating] with a known wavelength, provid[es] an accurate wavelength reference".

Thereafter, the second part of the light of the broadband light source is reflected back through the second coupler and then to a second detector. The second detector then outputs an electrical signal representing this second part of the light to the signal processing unit.

According to the specification at page 8, lines 7 through 9, "[t]he detector signals from detector 10 and 7 are simultaneously sampled, processed and compared in a signal processing and data presentation unit 11, providing accurate and repeatable information on the Bragg wavelengths of the FBGs [the filter or fiber Bragg grating]". Again at page 8, lines 27, the detectors, "provide accurate and repeatable information on the Bragg wavelengths of the FBGs to the signal processing unit".

Kringlebotn does not describe providing corrected wavelength values having a wavelength variation over time. In contrast, Kringlebotn describes a system that provides information on the Bragg wavelengths of the fiber Bragg grating. This information on the Bragg wavelengths although repeatable is not provided over time. Accordingly, Applicants submit that Kringlebotn does not describe providing a corrected wavelength values having a wavelength variation over time, as recited in claim 9.

Still further, Kringlebotn describes information on a reference value or the Bragg wavelengths of the fiber Bragg grating. Apparently, this reference value has an error that Kringlebotn seeks to minimize. In contrast, claim 9 teaches an

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absolute measuring unit having unambiguous wavelength properties at known absolute wavelength values. Accordingly, Kringlebotn does not teach an absolute-measuring unit having unambiguous wavelength properties at known absolute wavelength values, as recited in claim 9.

Claim 9 includes the recitals of providing corrected wavelength values having a wavelength variation over time. As such, Kringlebotn does not anticipate claim 9 for reasons stated above.

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kringlebotn. In response, Applicants submit that the cited and relied upon Kringlebotn does not support a prima facie rejection of obviousness under 35 U.S.C. §103(a) of claim 10. Applicants submit that Kringlebotn neither describes nor suggests claim 10. Applicants respectfully traverse this rejection on the grounds that (a) there is no disclosure, suggestion or motivation in Kringlebotn for the modification argued by the Office, and (b) Kringlebotn, without more, does not render applicants' claimed 10 obvious.

With regard to independent claim 10, claim 10 provides a software product for executing a method for determining the wavelengths of a plurality of successive optical signals. The method of claim 10 has the step of providing corrected wavelength values $\lambda_1'(t)$ based on a comparison of a determined first and a second wavelength values over time.

Kringlebotn does not describe or suggest a method having the step of providing corrected wavelength values $\lambda_1'(t)$ based on a comparison of a determined first and a second wavelength values over time. In contrast, Kringlebotn describes providing information on the Bragg wavelengths of the fiber Bragg grating. It is not seen from a review of Kringlebotn where Applicants' step of providing corrected wavelength values $\lambda_1'(t)$ having a wavelength variation over time, as claimed in claim 10, is described or suggested.

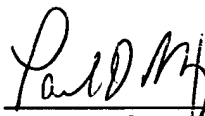
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Further, it is not seen from a review of Kringlebotn where Applicants' step of providing corrected wavelength values $\lambda_1'(t)$ having a wavelength variation over time based on a comparison of the determined first $\lambda_1(t)$ and second $\lambda_2(t)$ wavelength values is described or suggested. Moreover, claim 10 includes similar limitations as set forth in claim 1 and thus is also in condition for allowance. Thus, reconsideration and withdrawal of the 35 USC 103(a) rejection of claim 10 is earnestly solicited.

In view of the foregoing, Applicants respectfully submit that all of claims 1 through 10 patentably distinguish over the cited and relied upon references. Thus, reconsideration and withdrawal of the 35 U.S.C. §102(b) and §103 rejection of the claims are respectfully requested. Accordingly, Applicants respectfully request favorable consideration and that the application be passed to allowance.

Respectfully Submitted,

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